



PATENT
ATTORNEY DOCKET NO. 07891/003005

Certificate of Mailing: Date of Deposit: Sept. 18 2002

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Julie A. Bower
Printed name of person mailing correspondence

Julie A. Bower
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert G. Korneluk

Art Unit: 1643

Serial No.: 09/654,743

Examiner: Not Assigned

Filed: September 1, 2000

Customer No: 21559

Title: MAMMALIAN IAP GENE FAMILY, PRIMERS, PROBES, AND
DETECTION METHODS

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Under 37 C.F.R. § 1.8(b) and 1.181, applicant hereby petitions to withdraw the Notice of Abandonment mailed September 9, 2002 (copy enclosed). According to the Notice, the application was abandoned under 37 C.F.R. § 1.135 for failure to reply to the Notice to File Missing Parts mailed January 10, 2002. However, we did not receive a Notice to File Missing Parts, but did receive a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed January 10, 2002, a reply to which (copy enclosed) was timely filed on March 4, 2002.

The undersigned, applicant's attorney of record, first became aware of the abandonment on September 16, 2002, upon receipt of the Notice of Abandonment and submits that this petition to withdraw the Notice is being promptly submitted as required by 37 C.F.R. § 1.8(b)(1).

The following documents are submitted under 37 C.F.R. § 1.8(b)(2) as proof that a reply was timely filed on March 4, 2002:

1. A copy of the reply, including an executed certificate of mailing signed by Tracey Simmons on March 4, 2002.
2. Return Receipt Postcard stamped by the PTO mailroom on March 7, 2002.

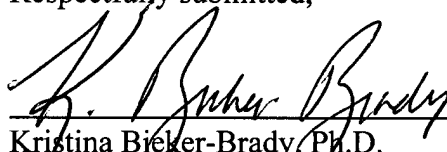
Applicant submits that the reply was timely filed and requests that the Notice of Abandonment be withdrawn.

If there are any charges, or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

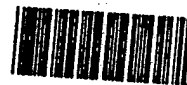
Date:

September 18, 2002



Kristina Bieker-Brady Ph.D.
Reg. No. 39,109

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



21559

PATENT TRADEMARK OFFICE

\\CLARK-W2K1\documents\07891\07891.003005 Petition to Withdraw Notice of Abandonment.wpd